

Septimber 28 1659

J A A N O P A T I A

Or, A holding forth of *Universall* immunitie in
 exercise of Christian Religion, expressed in a
 Letter to a Person of Condition.

Sir, I have to commend me to you, and thank you for your

BY this ensuing discourse, you will see my judgment.
 It's true, I do it *currente calamo*, in more haste,
 then the gravity of your question merited; but
 that is to the manner. I am very positive, even in
 my most examine reflexions, as to the matter, to
 assert liberty of Religion to all Christians, which therefore I call,
 as you see in the Title.

I see it much ventilated amongst our wisest modelers of
 the Oeconomical part of our purchased liberty in Religion,
 whether it consists with a conscientious and well regulated
 Common-wealth, to give restraint in order to any parties pro-
 fessing Christianity: Whence, upon your commands, I take
 pen and put to paper, dipt in inke, without the too too ordi-
 nary contemperature of gall, as the subject requires; religion,
 if true, being alwayes animated with charity.

I profess in the first place, that as to those whome we call
Papists and Prelatists, my education has so prevented all for-
 raine tinctures, that I am not capable of any further affection,
 then what the purity of Christian religion avoweth and obli-
 geth. And therefore prescribing to my self those narrow,
 yet sanctified bounds, I presume to offer these motives of liber-
 ty, as they relate to all; not seeing, how we can exclude any,
 by the principles of Christianity and reason.

First, I consider that Religion is a habit or vertue, which
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hath God for its immediate object, by which we are inclined to perform our duties in Divine worship, being a *species* of justice whose formall reason, or essentiall consideration (acording to Logicians language) consists in rendering to each one valewably as the commutative, or at least proportionably, as the distributive, what is due. Whence to very many of our learned men, it seemes to follow, that *Religion* is not within the vierre of humane cognizance, since both parties concernd (God being above all laws) are not liable to our Tribunals.

Secondly, neither doth the restrictive, or rather declarative term *Christian* added to *religion*, enlarge the bounds of humane cognizance, as to this particular, except some Divine delegation may be produced by an authentickall Instrument, which hitherto I do not hear is pretended to; by our modern rigid Censurers out of holy Scriptures, which only can secure the attempt from high presumption, according to our Principles.

The great Cleark *Erasmus*, though a *Papist* (whom I willingly name in this business, not only for the eminency of his learning, but for the great esteem our Countrey had of his judgment, as *Sr. Thomas More* witnesseth in his *Defence against Dorpian*) surviving til these fires began to kindle, took an easy occasion to shew the barremnes of holy Writ, as to this particular: and withall, ^{with} much ^{scorne} he recounts a great Pulpitmans applying *S. Pauls hereticum hominem devota*, shew an heretick to take them off their lives, that is, to put them to death. Thus zeal not regulated, turns to folly: For the Apostle gives not the least hint for it, as the text speakes, and he shewes.

Thirdly, our blessed Lord himself gave his great Commission, to the Apostles in this form *Mat. 28. 19. Go teach all nations &c.* And the Apostle *2. Tim. 2. 24.* as it were commenting upon it, saith: *The Servant of the Lord must not strive, but be gentle to all men, apt to teach, forbearing in meekness, instructing those that are contrary minded, if God peradventure will give them*

repentance to the acknowledgment of the truth. Where both texts direct all Christian procedure in Religion, to be by *teaching*, not domineering, or lording over Consciences. Whence surely in order to us, who justly pretend highest reverence to holy *Scripture*, this plea will stop all unlawfull invasions, and unjust usurpations of Gods prerogative in punishing for Conscience.

Fourthly, upon this Divine and Apostolicall sanction, it is evident, (as our learned men observe) that the primitive times (by which we have alwayes desired to modelize our forms of Government, as to matter of Religion) did not at all use violence to Consciences. Insomuch that *Cyprian* Ep. 62. puts the difference betwixt the Synagogue, and the Christian Church in this, that then by a corporeall, now only by a spirituall sword, contumacy is punishable. And hence 380. Yeares after *Christ*, *Idacius Clarus* a Spanish Bishop, was sever'd from Christian communion, for having incited the Magistrates against *Priscillian*, though an Arch-heretick. It is also observable, that the *Arians*, who were indeed Anti-Christian, under *Constantius*, are known to be the first introducers of sanguinary, and other compulsive Decrees upon Consciences in order to belief. With all which is consistent, that if any under colour of Religion shall disturbe the peace, they justly loose this immunity, as reason demonstrates and all antiquity confirms. whence

Fifthly, Peradventure some would urge the *Papists* just forfeiture of these Christian Rights of religious immunity by their particular demerits in the Gun-powder-treason. As to this, Christianity compells me, to vindicate the body of them from the least guilt in it; since *R. James* himself (who was very privy to the intrigues of that State-prodigie) in his Proclamation presently declared them innocent. And indeed *Aristotles*, and much more Christian Schools, would condemn it as a great *Solacisme*, if they should conclude all of us guilty of every hor-

rid crime, which some few Protestants, to their perpetual ignominy, are known to have perpetrated; or upon such too too remote Titles should deprive us of our Christian rights, and conscientious liberties, since as each one carries the guilt of his own crime, so the punishment according to all Law.

Sixthly, whereas further may be objected, the cruelty of the modern *Spanish inquisition*, and of the *Prelatique High-Commission*. It is easily retorted by them both: why should we embrace, what we dislike in them? except we will hear from the Prophet, *Videbas furem, & currebas cum eo*: you saw a thief and did run with him; that is, to steal with him. Shall we erect again pecuniary and coercive courts of Conscience, which we pul'd down, as being against the nature of Conscience which is only subject to Gods Court of Justice, as we justly alleadged, when it related to our own liberties of Conscience? As for the *Inquisition*, we all know, it was introduced to rid the countrey of *Moors* and *Jewes*, which only by the fagot, could be consumed: we are not also ignorant that it is not introduced as matter of faith amongst them, neither is it universally received. *France* abhors all violence in this kind, *Germany*, *Flanders*, *Poland*, and many other parts do not admit it. Must *Spain* onely, and onely in this, direct us? *Gregory Nazianzen* in his fourth oration, when *Orthodox Christians* had by *Julians* death obtained the worlds Sovereignty (which is our case.) very piously perswades the Magistrates, not to turn the points of their swords against even Infidels, which they had cruelly sheathed in our hearts. He gives the reason, *Ostendamus quod illos Dæmones doceant, quod rursum Christus nos erudiat*: Let us shew them that the Devill taught them those cruelties, and Christ our meekness. Hence in *Q. Maries* dayes, the learnedst person of that age *Alphonso a Castro*, though a *Papist*, preached at *White-hall* in presence of *K. Philip* against our home severities, as our famous *Mr. Fox* assures us: and the late

late Archbishop learned Doctour *Laad* after *S. Augustine*, did not hold a gallows to be a fit argument for conversion of misunderstanding Souls, as he periwaded the King, who was therefore wholly against it, as he declared upon all occasions. And he who was, and is celebrated as the wisest of our Protestant Princes, hath in print disowned all coercion in this kind, as *K. James* in his *Apology to Christian Princes*. And indeed though by suggestion of some intemperate spirits, there hath been too much severity used, such as was old *Cecil*, who made marginall notes upon *Julians Gests* (the Grand Apostate and subdalous persecutor of Christians) as his *Directory* for proceeding in matter of religion against Papists: yet in all times the most eminent and conscientious persons of Church and Common-wealth amongst us, have disclaimed and blushed at our severe lawes against religion: which have made us an obloquy to all our neighbours, even to our brethren the *Hollanders*, whose Christian policy even beyond envy flourisheth at *Amsterdam*, and other places, with exemplar piety and freedom. And in the combustion, betwixt the *Arminians* and *Gomarists* they experienced a happy effect of this universal immunity. For even the *Papists*, who were very numerous, (and surely are so here, if we involve all of that judgment, more then is easily conceived) assured the Magistrates, that their Religion obliged them, to be faithfull to the Superiours, and that accordingly they would stand by them against whomsoever. Upon which ground the wisest people in the World the old *Romans* offered to the *Jewes*, though a conquered Nation, their liberties of religion, as their own historians, to their honour, declare, and they had answerable effects, as also now we see in *France*, where our Religion is happily tolerated, with what fidelity the *King of France* serveth himself in places of chiefest trust in the wars, of the most eminent professors of our Religion, and in like manner the *King of Pole* and others. Whence we must confesse that in the judgment of all parties,

Soul-immunity connaturally inferrs a conscientious fidelity; and therefore it cannot produce less effects here of loyalty in all who shall by abolishment of compulsive lawes as to conscience finde the comfort of the freedom, where gratitude in all ingenious natures freed from bondage, will imprint indelible characters of duty to be transmitted even to posterity.

Seventhly, It's true that the posterior *Romans*, the dregs of the old *Heathens*, who like the *Jewes* measured all things by the test of temporall blessings, objected the ill success of the Empire, to be from the liberty of Christianity; which moved *Orosius* by *S. Augustines* command to write his histories, as testimonies of Gods blessings: And it gave occasion to *S. Augustin* himself to enrich the World with his Books *Of the City of God*, upon the same design, and to shew ill successes to have come from themselves. In the same manner we know, that some ill natur'd and froward Persons have so far envied their Neighbours freedom in matters of Conscience, that, like those old *Heathens*, they would injuriously impute our present miseries to this freedom; whereas unquestionably the want of universall immunity, or rather the violent restraint of tender consciences, stroke the first fire of all our combustions, as no English-man can be ignorant who hath been contemporary to them. The best remedy will be (since as nature teacheth *contraria contrariis curantur*) by a contrary applycation of tenderness, which will sincerely unite all affections, as amongst the old Philosophers, who though differing in their Tenets, concerning God and his worship, yet out of their severall Scholes, in mutuall civill offices obliged each other.

Eightly, if we further consider this business, as we are *English-men*, that is, true Patriots, having an eye upon our relations abroad, we cannot but take notice of both our powerfull neighbours interestted in it, who though out of present exigencies of State they may dissemble the sense they have of our persecuting their Religion: yet since *William* whom we call *Conquerour* his triumphs, our countrey hath sadly experienced in
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each of them, when not joyned (as now they easily may be) their power and readines to attaque and invade us, sometimes as *Principalls*, other times as *Auxiliaries*, to our damage by Sea and Land upon far lesse pretences, especially when (as is customary amongst bordering enemies in military policies) they could work fit opportunities, by sementing, or fomenting our home-divisions, which a fraternall tenderness to each other, in point of Religion, above all other ties, (and ^{more} ~~now~~ in our Nation, then in any other, as experience shewes) would effectually prevent, and secure us far otherwise, then the old *Roman* walls against the *Picts*, or our dancing and daring bulwarks against *Julius Cesar* and others, which as we know, sometimes failed us.

Ninthly. Again, if as prudent and provident persons we look upon the sequell of this business, as it relates even to a selfness, this little world of ours, for these last hundred years, having experienced almost incredible vertiginous revolutions in matter of Religion, prudent self-seeking will teach us, to provide for the like vicissitudes, by leaving *lenitives* to Posterity; that in case our own Issue shall differ in opinion, from the future prevailing Doctrines (for among so many Sects, none of us can tell, which shall last get and keep the Chair) they may serve as Preservatives of their estates and persons, even in these religious epidemical diseases.

Tenthly, as concerning our old weather-beaten exception against the *Papists* acknowledgment of a forrain power in spirituals; Besides that it carries the answear to it self, being in *Spirituals*, and therefore as we must confesse, not apt to disturb our externall peace, it is also antiquated by publick consent of all parts, even where the Papall power is most predominant, the actual coexistency of both swords by daily experience being rendred clear to our senses. We must acknowledge publick truths: As for example even in *Italy*, as in the case of *Parma* and *Modina*, though little Princes, they had no difficulty with their popish subjects, to maintain their tempo-
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all right, against the Popes pretences. *Venice* with high opposition in the Magistrate, and signall allegiance in the subjects, Ecclesiastical and civill, *France Spain*, and *Germany* give dayly instances of their security, in their subjects allegiance, against whatsoever specious titles. And even at home under *Henry the 8th.* in those too too high contests betwixt him and Pope *Clement*, and under *Q. Elizabeth* after Pope *Pius* his censures, and in 88. it is confest, that none gave greater satisfaction in point of allegiance to our Princes, then the *Papists*. Particular Tenets are like opinions, which touch onely speculation, and are circumscribed to the Scholes, not allowed as to practise. So that all parties would now deride us, if we would seem to put weight on so stramineous a foundation, against so great a good, in order to the publicly, as liberty of Conscience.

secretly
Lastly, All which considerations duely weighed, will enforce us to conclude, that they must justly be presumed to be enemies of our countreys happines, and of the supream government, who by perswading enforcement of conscience, would endeavor ~~secretly~~ to kindle disaffections to Superiours, in all those whom they desire to be severely handled for religion, and in all foreigners who will be concerned in this common cause, which by all lawes (as themselves heretofore, when they were under the lash have pleaded) should be most free; and in which all men are justly most tender

You may please to accept this in compli-
I have to your command: The cause is common, and therefore I willingly obey you, soule-liberty being the high-st interest of mankind, and hath the greatest influence on the prosperity of our own nation, and even of each particular person. Our bodies and fortunes are subject to higher powers upon just exigencies, the soule only to God; which, if free, we all meet in our most affectionous orizons for the publick concern: and therefore all good Patriots desire with you not to have it captivated, nor to see others contristated for want of enjoyment of every ones due right in this their dearest interest, which is also the onely aime of

Your most obliged Servant. T. F.

